IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7291 OF 2007

Radhabai Masko Karade .... Petitioner

versus

Ssuresh Yeshwant Dafale ..... Respondent.

Shri I.S.Ingale for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 01ST OCTOBER, 2007

P.C.;

1. The present petitioner is a third party who moved an application before trial court under Order 1 Rule 10(2) for impleading him as party defendant in the suit. The plaintiff's suit is for partition and separate possession of the joint family properties. The petitioner has no concern with the said suit. According to the petitioner, he is owner of a land falling on the southern side of the land forming part of the partition suit. The case of the petitioner is that he apprehends dispossession from the said land in the event if a decree is passed in the partition suit. The trial court on examining the facts has held that the petitioner has no concern with the suit and the petitioner's presence before the court is not needed for determination of the issues arising out of the suit, and hence has proceeded to reject the

application.

2. Perused the order. The same does not call for any interference. Thus writ petition is summarily dismissed.

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